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HUSCH BLACKWELL SANDERS LLP
720 OLIVE STREET
SUITE 2400
ST. LOUIS, MO 63101

EXAMINER
WEST, JEFFREY R

ART UNIT	PAPER NUMBER
2857	

NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

pto-sl@huschblackwell.com

Office Action Summary	Application No.	Applicant(s)	
	10/708,146	TOBLER ET AL.	
	Examiner	Art Unit	
	Jeffrey R. West	2857	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 July 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-33,35-43,46-52,58,60 and 61* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-33,35-43,46-52,58,60 and 61* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *11 January 2007* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-11, 13, 15-17, 19-24, 33, 35-43, 47-51, 60, and 61 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. 2003/0004656 to Bjornson in view of U.S. Patent No. 6,061,640 to Tanaka et al.

With respect to claim 1, Bjornson discloses a method for monitoring facility data (abstract) utilizing a computer system (0054, lines 1-2) comprising inputting information relating to at least one part from at least one input device into the

computer system (0095, lines 1-5 and Figure 11A-F), inputting information relating to at least one field from the at least one input device into the computer system (0070, lines 1-5 and Figure 4B), and automatically (0100, lines 16-18, 0101, lines 1-12 and 0116, lines 33-37) inputting product quality control measurement data regarding a possible product defect from a plurality of measurement devices (0100, lines 9-18 and 0116, lines 10-14), and at least partially correlating the inputted product quality control measurement data regarding a possible product defect to the information relating to the at least one part and the information related to the at least one field (0095, lines 1-5, 0100, line 1 to 0101, line 8, and Figures 11A-F, 12A-J, 13C, and 13G) wherein said at least partially correlating assists in locating a possible (i.e. most likely) part defect (0077, lines 1-12, 0080, lines 1-17, and 0101, lines 1-12) and displaying the correlating data on a workstation communicable with the computer system (0100, lines 1-17, 0111, lines 1-16, and Figures 12A-J, 13C, and 13G).

With respect to claim 2, Bjornson discloses that the inputting information relating to the at least one part includes inputting least one part type and inputting at least one specific part and the inputting information relating to the at least one field includes inputting at least one field group and inputting at least one specific field (0095, lines 1-5 and Figure 11A-F).

With respect to claim 3, Bjornson discloses inputting information relating to at least one facility into the computer system (0068, lines 6-7 and Figure 4A)

With respect to claim 4, Bjornson discloses that the at least one part type is selected from the group consisting of types of components of parts (i.e. types of components of parts, "Type") (0068, lines 7-11, 0095, lines 1-5, and Figure 11A).

With respect to claim 5, Bjornson discloses that the at least one specific product includes information that is selected from the group consisting of at least one product code, and at least one product characteristic information (i.e. product code- "MfgPArt#" / "Serial Number", product characteristic information- "Features", "Size", etc.) (0095, lines 1-5 and Figure 11A).

With respect to claim 6, Bjornson discloses that the at least one field group is selected from the group consisting of work-in-progress temperatures (i.e. work in progress operating condition temperatures) (0070, lines 1-5 and Figure 4B).

With respect to claim 7, Bjornson discloses that inputting the product quality control measurement data from a plurality of measurement devices includes inputting at least one type of unit of measurement (i.e. valve/seal temperatures, pressures, etc.) (0095, lines 1-5, Figures 11A-F, and 0100, lines 9-18 and 0116, lines 10-14)

With respect to claim 8, Bjornson discloses that the at least one type of unit of measurement is selected from the group consisting of temperature and pressure (i.e. valve/seal temperatures, pressures, etc.) (0095, lines 1-5, Figures 11A-F, and 0100, lines 9-18 and 0116, lines 10-14).

With respect to claim 9, Bjornson discloses that inputting the product quality control measurement data from a plurality of measurement devices includes

inputting at least one specific unit of measurement (i.e. specific unit of valve measurement, seal temperature, seal pressure, etc.) (0095, lines 1-5, Figure 11A-F, and 0100, lines 9-18 and 0116, lines 10-14).

With respect to claim 10, Bjornson discloses that the inputting the product quality control measurement data from a plurality of measurement devices includes inputting at least one type of test (i.e. Seal Failure Testing) (Figure 11C)

With respect to claim 11, Bjornson discloses that the inputting the product quality control measurement data from a plurality of measurement devices includes at least one specific test. (Pressure Testing of Mechanical Seal) (Figure 11C)

With respect to claim 13, Bjornson discloses that inputting the product quality control measurement data from a plurality of measurement devices includes inputting information selected from the group consisting of at least one type of measurement device (i.e. temperature/pressure gauges) (Figure 11E).

With respect to claim 15, Bjornson discloses viewing the product quality control measurement data (0095, lines 1-8) utilizing at least one workstation (0116, lines 1-19).

With respect to claim 16, Bjornson discloses that the at least one workstation is selected from the group consisting of pocket processors, industrial computers, programmable logic controllers and personal computers (0105, lines 19-22 and 0119, line 1 to 0120, line 12).

With respect to claim 17, Bjornson discloses that the computer system includes at least one main server that is able to transmit data with the at least one workstation

through a transmission medium selected from a group consisting of wireless communication, direct hardwired connection, local area networks, wireless communication, internet and wide area network (0111, lines 1-16).

With respect to claim 19, Bjornson discloses evaluating the inputted product quality control measurement data from a plurality of measurement devices with the computer system in accordance with at least one predetermined test and providing a notification when the at least one predetermined test fails (0018, lines 1-19, 0118, lines 1-47, and Figure 11C).

With respect to claim 20, Bjornson discloses evaluating the inputted product quality control measurement data from a plurality of measurement devices with the computer system in accordance with at least one predetermined test and providing an assignable causes when the at least one predetermined test fails (0018, lines 1-19, 0118, lines 1-47, and Figure 11C).

With respect to claim 21, Bjornson discloses evaluating the inputted product quality control measurement data from a plurality of measurement devices with the computer system in accordance with at least one predetermined test and providing a recommended remedial action when the at least one predetermined test fails (0018, lines 1-19, 0019, lines 1-6, 0118, lines 1-47, and Figure 11C).

With respect to claim 22, Bjornson discloses that the at least one predetermined test includes aspects selected from the group consisting of at least one predetermined target and a corrective action procedure for the at least one

predetermined test (i.e. target seal with corrective action) (0018, lines 1-19, 0019, lines 1-6, and Figure 11C)

With respect to claim 23, Bjornson discloses generating reports with the computer system (0092, lines 1-15).

With respect to claim 24, Bjornson discloses that generating reports with the computer system includes reports elected from the group consisting of at least one corrective action report (i.e. quote report including corrective actions) (0092, lines 1-15).

With respect to claim 33, Bjornson discloses a method for monitoring facility data (abstract) utilizing a computer system (0054, lines 1-2) comprising inputting information relating to at least one part into the computer system (0095, lines 1-5 and Figure 11A-F), inputting information relating to at least one field into the computer system (0070, lines 1-5 and Figure 4B) automatically (0100, lines 16-18, 0101, lines 1-12 and 0116, lines 33-37) inputting product quality control measurement data regarding a possible product defect from a plurality of measurement devices (0100, lines 9-18 and 0116, lines 10-14) viewing the product quality control measurement data (0095, lines 1-8) utilizing at least one workstation (0116, lines 1-19); and evaluating the inputted product quality control measurement data regarding a possible product defect from a plurality of measurement devices with the computer system in accordance with at least one predetermined test and providing a notification when the at least one predetermined test fails (0018, lines 1-19, 0118, lines 1-47, and Figure 11C), at least one input device for receiving

information relating to at least one part (0095, lines 10-5 and Figure 11A-F) and receiving information relating to at least one field (0070, lines 1-5 and Figure 4B) and at least partially correlating the inputted product quality control measurement data regarding said product defect to the information relating to the at least one part defect and the information relating to the at least one field (0095, lines 1-5, 0100, line 1 to 0101, line 8, and Figures 11A-F, 12A-J, 13C, and 13G), where said at least partially correlating assists in locating a possible (i.e. most likely) part defect (0077, lines 1-12, 0080, lines 1-17, and 0101, lines 1-12) and a plurality of measurement devices for receiving the at least partially correlated product quality control measurement data regarding a possible product defect (0100, lines 9-18 and 0116, lines 10-14).

With respect to claim 35, Bjornson discloses that the information relating to the at least one part includes at least one part type and at least one specific part and the information relating to the at least one field includes at least one field type and at least one specific field (0095, lines 1-5 and Figure 11A-F).

With respect to claim 36, Bjornson discloses that the at least one part type is selected from the group consisting of types of components of parts (i.e. Types of components of parts, “Type”) (0068, lines 7-11, 0095, lines 1-5, and Figure 11A), wherein the at least one specific part includes information that is selected from the group consisting at least one product code, and at least one product characteristic information (i.e. product code- “MfgPArt#” / “Serial Number”, product characteristic information- “Features”, “Size”, etc.) (0095, lines 1-5 and Figure 11A) and wherein

the at least one field type is selected from the group consisting of work-in-progress temperatures (i.e. work in progress operating condition temperatures) (0070, lines 1-5 and Figure 4B).

With respect to claim 37, Bjornson discloses that the inputted product quality control measurement data regarding a possible product defect that is at least partially correlated to the information related to the at least one part (0095, lines 1-5, 0100, line 1 to 0101, line 8, and Figures 11A-F, 12A-J, 13C, and 13G) and the information that is related to the at least one field includes information selected from the group consisting of at least one type of unit of measurement (i.e. temperature/pressure gauges) (0095, lines 1-5, Figure 11A-F, and 0100, lines 9-18 and 0116, lines 10-14).

With respect to claim 38, Bjornson discloses at least one workstation (0116, lines 1-19) for viewing the product quality control measurement data (0095, lines 1-8).

With respect to claim 39, Bjornson discloses that the at least one workstation is selected from the group consisting of pocket processors, industrial computers, programmable logic controllers and personal computers (0105, lines 19-22 and 0119, line 1 to 0120, line 12).

With respect to claim 40, Bjornson discloses at least one main server that is able to transmit data with the at least one workstation through a transmission medium selected from a group consisting of wireless communication, direct hardwired connection, local area networks, wireless communication, internet and wide area network (0111, lines 1-16).

With respect to claim 41, Bjornson discloses that the inputted product quality control measurement data regarding a possible product defect is evaluated with the computer system with at least one predetermined test and a notification is provided if the at least one predetermined test fails (0018, lines 1-19, 0118, lines 1-47, and Figure 11C).

With respect to claim 42, Bjornson discloses that the computer system generates at least one report (0092, lines 1-15).

With respect to claim 43, Bjornson discloses that the at least one report is selected from the group consisting of at least one corrective action report (i.e. quote report including corrective actions) (0092, lines 1-15).

With respect to claim 47, Bjornson discloses that the computer system generates a response from the group consisting of a recommended remedial action and an assignable cause (0018, lines 1-19 and 0019, lines 1-6).

With respect to claim 48, Bjornson discloses a method for monitoring facility data (abstract) utilizing a computer system (0054, lines 1-2) comprising inputting information relating to at least one part from at least one input device into the computer system (0095, lines 1-5 and Figure 11A-F); inputting information relating to at least one field from the at least one input device into the computer system (0070, lines 1-5 and Figure 4B); automatically (0100, lines 16-18, 0101, lines 1-12 and 0116, lines 33-37) inputting product quality control measurement data regarding a possible product defect from a plurality of measurement devices (0100, lines 9-18 and 0116, lines 10-14), and at least partially correlating the inputted product quality

control measurement data regarding a possible product defect to the information related to the at least one part and the information related to the at least one field (0095, lines 1-5, 0100, line 1 to 0101, line 8, and Figures 11A-F, 12A-J, 13C, and 13G), wherein said at least partially correlating assists in locating a possible (i.e. most likely) part defect (0077, lines 1-12, 0080, lines 1-17, and 0101, lines 1-12); displaying the correlating data on a workstation communicable with the computer system (0100, lines 1-17, 0111, lines 1-16, and Figures 12A-J, 13C, and 13G); wherein the inputting information relating to the at least one part includes inputting least one part type and inputting at least one specific part and the inputting information relating to the at least one field includes inputting at least one field group and inputting at least one specific field (0095, lines 1-5 and Figure 11A-F); and wherein the at least one part type is selected from the group consisting of types of components of parts (i.e. types of components of parts, "Type") (0068, lines 7-11, 0095, lines 1-5, and Figure 11A).

With respect to claim 49, Bjornson discloses a method for monitoring facility data (abstract) utilizing a computer system (0054, lines 1-2) comprising inputting information relating to at least one part from at least one input device into the computer system (0095, lines 1-5 and Figure 11A-F); inputting information relating to at least one field from the at least one input device into the computer system (0070, lines 1-5 and Figure 4B); automatically (0100, lines 16-18, 0101, lines 1-12 and 0116, lines 33-37) inputting product quality control measurement data regarding a possible product defect from a plurality of measurement devices (0100, lines 9-18

and 0116, lines 10-14), wherein the inputted product quality control measurement data regarding a possible product defect is at least partially correlated to the information related to the at least one part and the information related to the at least one field (0095, lines 1-5, 0100, line 1 to 0101, line 8, and Figures 11A-F, 12A-J, 13C, and 13G), wherein said at least partially correlating assists in locating a possible (i.e. most likely) part defect (0077, lines 1-12, 0080, lines 1-17, and 0101, lines 1-12); displaying the correlating data on a workstation communicable with the computer system (0100, lines 1-17, 0111, lines 1-16, and Figures 12A-J, 13C, and 13G); wherein the inputting data regarding a possible product defect includes inputting least one product type and inputting at least one specific product (0095, lines 1-5 and Figure 11A-F); and wherein the at least one specific product includes information that is selected from the group consisting of at least one part type, at least one product code, and at least one product characteristic information (i.e. types of components of parts- "Type", product code- "MfgPArt#" / "Serial Number", product characteristic information- "Features", "Size", etc.) (0095, lines 1-5 and Figure 11A).

With respect to claim 50, Bjornson discloses a method for monitoring facility data (abstract) utilizing a computer system (0054, lines 1-2) comprising inputting information relating to at least one part from at least one input device into the computer system (0095, lines 1-5 and Figure 11A-F); inputting information relating to at least one field from the at least one input device into the computer system (0070, lines 1-5 and Figure 4B); automatically (0100, lines 16-18, 0101, lines 1-12 and 0116, lines 33-37) inputting product quality control measurement data regarding a

possible product defect from a plurality of measurement devices (0100, lines 9-18 and 0116, lines 10-14), wherein the inputted product quality control measurement data regarding a possible product defect is at least partially correlated to the information related to the at least one part and the information related to the at least one field (0095, lines 1-5, 0100, line 1 to 0101, line 8, and Figures 11A-F, 12A-J, 13C, and 13G), wherein said at least partially correlating assists in locating a possible (i.e. most likely) part defect (0077, lines 1-12, 0080, lines 1-17, and 0101, lines 1-12); displaying the correlating data on a workstation communicable with the computer system (0100, lines 1-17, 0111, lines 1-16, and Figures 12A-J, 13C, and 13G); wherein the inputting data regarding a possible product defect includes inputting least one product type and inputting at least one specific product and the inputting information relating to the at least one field includes inputting at least one field group and inputting at least one specific field (0095, lines 1-5 and Figure 11A-F); and wherein the at least one field group is selected from the group consisting of work-in-progress temperatures (i.e. work in process operating condition temperatures) (0070, lines 1-5 and Figure 4B).

With respect to claim 51, Bjornson discloses a method for monitoring facility data (abstract) utilizing a computer system (0054, lines 1-2) comprising: inputting information relating to at least one part from at least one input device into the computer system (0095, lines 1-5 and Figure 11A-F); inputting information relating to at least one field from the at least one input device into the computer system (0070, lines 1-5 and Figure 4B); automatically (0100, lines 16-18, 0101, lines 1-12 and

0116, lines 33-37) inputting product quality control measurement data regarding a possible product defect from a plurality of measurement devices (0100, lines 9-18 and 0116, lines 10-14), wherein the inputted product quality control measurement data regarding a possible product defect is at least partially correlated to the information related to the at least one part and the information related to the at least one field (0095, lines 1-5, 0100, line 1 to 0101, line 8, and Figures 11A-F, 12A-J, 13C, and 13G), where said at least partially correlating assists in locating a possible (i.e. most likely) part defect (0077, lines 1-12, 0080, lines 1-17, and 0101, lines 1-12); displaying the correlating data on a workstation communicable with the computer system (0100, lines 1-17, 0111, lines 1-16, and Figures 12A-J, 13C, and 13G); wherein the inputting measurement data regarding a possible product defect from a plurality of measurement devices includes inputting at least one type of unit of measurement (i.e. valve/seal temperatures, pressures, etc.) (0095, lines 1-5 Figure 11A-F, and 0100, lines 9-18 and 0116, lines 10-14); and wherein the at least one type of unit of measurement is selected from the group consisting of temperature (i.e. valve/seal temperatures, etc.) (0095, lines 1-5, Figures 11A-F, and 0100, lines 9-18 and 0116, lines 10-14).

With respect to claim 60, Bjornson discloses a computer system (0054, lines 1-2) for monitoring facility data (abstract) comprising: at least one input device for receiving information relating to at least one part (0095, lines 1-5 and Figure 11A-F) and receiving information relating to at least one field (0070, lines 1-5 and Figure 4B); a plurality of measurement devices for receiving product quality control

measurement data regarding a possible product defect (0100, lines 9-18 and 0116, lines 10-14), wherein the inputted product quality control measurement data is automatically (0100, lines 16-18, 0101, lines 1-12 and 0116, lines 33-37) inputted and is at least partially correlated to the information related to the at least one part and the information related to the at least one field (0095, lines 1-5, 0100, line 1 to 0101, line 8, and Figures 11A-F, 12A-J, 13C, and 13G), wherein said at least partially correlating assists in locating a possible (i.e. most likely) part defect (0077, lines 1-12, 0080, lines 1-17, and 0101, lines 1-12) and wherein the inputted product quality control measurement data regarding a possible product defect that is at least partially correlated to the information related to the at least one part and the information that is related to the at least one field includes information selected from the group consisting of at least one type of unit of measurement (i.e. temperature/pressure gauges) (0095, lines 1-5, Figure 11A-F, and 0100, lines 9-18 and 0116, lines 10-14).

With respect to claim 61, Bjornson discloses a computer system (0054, lines 1-2) for monitoring facility data (abstract) comprising: at least one input device for receiving information relating to at least one part (0095, lines 1-5 and Figure 11A-F) and receiving information relating to at least one field (0070, lines 1-5 and Figure 4B); a plurality of measurement devices for receiving product quality control measurement data regarding a possible product defect (0100, lines 9-18 and 0116, lines 10-14), wherein the inputted product quality control measurement data is automatically (0100, lines 16-18, 0101, lines 1-12 and 0116, lines 33-37) inputted

and is at least partially correlated to the information related to the at least one part and the information related to the at least one field (0095, lines 1-5, 0100, line 1 to 0101, line 8, and Figures 11A-F, 12A-J, 13C, and 13G), wherein said at least partially correlating assists in locating a possible (i.e. most likely) part defect (0077, lines 1-12, 0080, lines 1-17, and 0101, lines 1-12); wherein the computer system generates at least one report (0092, lines 1-15); and wherein the at least one report is selected from the group consisting of at least one corrective action report (i.e. quote report including corrective actions) (0092, lines 1-15).

As noted above, the invention of Bjornson teaches many of the features of the claimed invention and while Bjornson does teach receiving product quality control measurement data regarding a possible product defect, Bjornson teaches receiving product quality control measurement data regarding products that are part of the process to determine possible process defects rather than explicitly receiving product quality control measurement data regarding products being produced by the process to determined possible process defects.

Tanaka teaches a method of and apparatus for extracting abnormal factors in a processing operation including means for receiving product quality control measurement data regarding a possible defect of a product being produced by the process (column 1, lines 46-52, column 2, line 65 to column 3, line 5 and column 3, lines 24-29), including a specific product type (column 3, lines 30-35), and correlating the product quality control measurement data with information relating to

at least one part in order to determine the part causing the possible product defect (column 3, lines 19-24 and 30-35).

It would have been obvious to one having ordinary skill in the art to modify the invention of Bjornson to explicitly receive product quality control measurement data regarding products being produced by the process to determined possible process defects, as taught by Tanaka, because Bjornson does teach determining process defects due to pump failure in a wide variety of processing environments (Bjornson; 0002, lines 1-16) and, as suggested by Tanaka, the combination would have improved the system of Bjornson by, in addition to monitoring the process parts themselves, providing more thorough process analysis by monitoring the resulting products produced by the process in order to allow the determination of causes of in-line processing problems by inexperienced process operators and/or for situations where undetected changes in part operation cause a change in product quality (column 1, lines 20-43).

4. Claims 12 and 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bjornson in view of Tanaka and further in view of U.S. Patent No. 5,473,950 to Peterson.

As noted above, the invention of Bjornson and Tanaka teaches many of the features of the claimed invention, and while the invention of Bjornson and Tanaka does teach selecting at least one test to be performed, the combination does not specifically indicate that the at least one test is selected from the group consisting of a temperature of a product at a particular point in processing, inspection for fecal

contamination, weight of the product, percentage of trisodium phosphate solution, verification of critical limits, pre-shipment verification of product quality, thermometer calibration with comparison against NST certified standard weight and visual inspections regarding sanitation.

Peterson teaches a process plant sample collection method including a means for sampling a product being processed to enable testing for pre-shipment verification of product quality (column 1, lines 39-54).

It would have been obvious to one having ordinary skill in the art to modify the invention of Bjornson and Tanaka to specifically indicate that the at least one test is pre-shipment verification of product quality, as taught by Peterson, because Peterson suggests that it is common to verify the product quality before it is ready for shipment and one having ordinary skill in the art would recognize that such pre-shipment testing would improve the overall system of Bjornson and Tanaka by insuring that a high quality product is provided to consumers by verifying that the product processing is operating correctly (column 1, lines 39-54).

5. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bjornson in view of Tanaka and further in view of U.S. Patent No. 5,012,667 to Kruse.

As noted above, the invention of Bjornson and Tanaka teaches many of the features of the claimed invention and while the invention of Bjornson and Tanaka does teach inputting information relating to at least one type of measurement device comprising at least one type for a specific measurement device, at least one serial

number for a specific manufacturing device, and at least one indication as to whether or not a specific measurement device is active (i.e. temperature/pressure gauge types, serial numbers, active settings and readings) (Figure 11E), the combination does not specify inputting an indication as to whether or not a model of measurement device model requires two-point calibration.

Kruse teaches an apparatus and method for calibrating a measuring device comprising means for inputting an indication as to whether or not a model of measurement device model requires one-point or two-point calibration (column 11, lines 1-13).

It would have been obvious to one having ordinary skill in the art to modify the invention of Bjornson and Tanaka to specify inputting an indication as to whether or not a model of measurement device model requires two-point calibration, as taught by Kruse, because, as suggested by Kruse, the combination would have improved the system of Bjornson and Tanaka by providing the system with in indication of the type of calibration required for a particular measurement device thereby insuring that the measurement device is properly calibrated by recalling such an indication when the device is being calibrated, thereby insuring the accuracy of any resulting measurements (column 11, lines 1-13)

6. Claims 18, 26, 27, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bjornson in view of Tanaka and further in view of U.S. Patent No. 6,044,154 to Kelly.

As noted above, the invention of Bjornson and Tanaka teaches many of the features of the claimed invention and while the invention of Bjornson and Tanaka does teach a user at a workstation for entering facility data, the combination does not specifically indicate that the at least one workstation includes associated information from the group consisting of at least one name of a workstation type, at least one indication as to whether a workstation type is portable, at least one name of a workstation manufacturer, contact information for a workstation manufacturer, at least one indication as to whether a workstation manufacturer is active, at least one name of a workstation model, at least one name of a workstation model manufacturer, at least one type of workstation and at least one indication as to whether a workstation model is active, at least one name of a specific workstation, at least one type of a specific workstation, at least one serial number for a specific workstation, and at least one indication as to whether a specific workstation is active or that the user is identified by inputting a user id and personal identification number to create an electronic signature.

Kelly teaches a remote generated device identifier key for use with a duel-key reflexive encryption security system comprising a security system for generating access to a host computer in response to a demand from a remote workstation (column 3, lines 45-47) wherein the remote workstation includes at least one serial number for a specific workstation (column 6, lines 35-38) and the user is identified by inputting a user id and personal identification number to create an electronic signature (column 6, lines 56-67) wherein selective aspects of the computer system

can be selectively blocked from view for a user depending on a predetermined security role determined for that user (column 8, lines 26-46)

It would have been obvious to one having ordinary skill in the art to modify the invention of Bjornson and Tanaka to specifically indicate that the at least one workstation includes associated information from the group consisting of at least one serial number for a specific workstation and that the user is identified by inputting a user id and personal identification number to create an electronic signature, as taught by Kelly, because the invention of Bjornson and Tanaka does teach a user at a workstation for entering facility data and, as suggested by Kelly, the combination would have improved the system of Bjornson and Tanaka by increasing the security of the system to ensure that the user has proper clearance for entering the data and thereby reduce the likelihood of unauthorized users from obtaining/editing the facility data by blocking access to the system from such unauthorized users (column 1, lines 18-26 and column 3, lines 27-35).

7. Claims 28 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bjornson in view of Tanaka and Kelly and further in view of U.S. Patent Application Publication No. 2003/0236979 to Himmel et al.

As noted above, the invention of Bjornson, Tanaka, and Kelly teaches many of the features of the claimed invention and while the invention of Bjornson, Tanaka, and Kelly does teach inputting product quality control measurement data by a first user that inputs an associated electronic signature, the combination does not specify

that such entering of product quality control measurement data is verified by a second user.

Himmel teaches group security objects and concurrent multi-user security objection comprising a client remotely connected over a network (0046, lines 1-7) for receiving a first user id and password (0049, lines 1-12 and 0053) and further identifying the identity of the at least one second user by inputting a user id and password (0108, lines 1-19) to verify that the first user has proper authorization for access to the protected data (0009, lines 1-15 and 0109, lines 1-11).

It would have been obvious to one having ordinary skill in the art to modify the invention of Bjornson, Tanaka, and Kelly to specify that the entering of product quality control measurement data is verified by a second user, as taught by Himmel, because, as suggested by Himmel, the combination would have provided increased security to the system of Bjornson, Tanaka, and Kelly thereby insuring the accuracy of the data entered in such a system by employing dual user security controls as part of a system that does not require extensive recoding (0006, lines 1-14 and 0009, lines 1-15).

8. Claims 25 and 58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bjornson in view Tanaka and Kelly and further in view of U.S. Patent No. 6,115,713 to Pascucci et al.

As noted above, the invention of Bjornson, Tanaka, and Kelly teaches many of the features of the claimed invention and while the invention of Bjornson, Tanaka,

and Kelly does teach performing at least one test as well as generating a result of such a test and further generating reports with access to the system data controlled by a user's electronic signature, the combination does not explicitly indicate that failure of such a test generates an alarm and a corresponding alarm report.

Pascucci teaches a networked facilities management system comprising means for sensing a plurality of conditions at a facility (column 27, lines 58-67) and means for providing alarm detection and generation when an input value produced by hardware varies from a user specified normal condition (column 14, lines 18-20, column 62, lines 42-55, and column 63, lines 49-67) and means for providing alarm reports to a user (column 14, lines 21-23).

It would have been obvious to one having ordinary skill in the art to modify the invention of Bjornson, Tanaka, and Kelly to explicitly indicate that failure of such a test generates an alarm and a corresponding alarm report, as taught by Pascucci, because, as suggested by Pascucci, the combination would have improved the system of Bjornson, Tanaka, and Kelly by generating alarms to indicate to a user that one of the tests of Bjornson, Tanaka, and Kelly has failed to allow the user to take corrective action as well as provided the user with detailed alarm information for further analysis to determine system errors with greater efficiency as part of an organized report (column 63, lines 15-19 and 25-42 and column 65 line 61 to column 66, line 8).

9. Claims 30 and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bjornson in view of Tanaka and further in view of U.S. Patent No. 6,115,713 to Pascucci et al.

As noted above, the invention of Bjornson and Tanaka teaches many of the features of the claimed invention and while the invention of Bjornson and Tanaka does teach performing at least one test as well as generating a result of such a test and further generating reports, the combination does not explicitly indicate that failure of such a test generates an alarm and a corresponding alarm report.

Pascucci teaches a networked facilities management system comprising means for sensing a plurality of conditions at a facility (column 27, lines 58-67) and means for providing alarm detection and generation when an input value produced by hardware varies from a user specified normal condition (column 14, lines 18-20, column 62, lines 42-55, and column 63, lines 49-67) and means for providing alarm reports to a user (column 14, lines 21-23).

It would have been obvious to one having ordinary skill in the art to modify the invention of Bjornson and Tanaka to explicitly indicate that failure of such a test generates an alarm and a corresponding alarm report, as taught by Pascucci, because, as suggested by Pascucci, the combination would have improved the system of Bjornson and Tanaka by generating alarms to indicate to a user that one of the tests of Bjornson and Tanaka has failed to allow the user to take corrective action as well as provided the user with detailed alarm information for further analysis to determine system errors with greater efficiency as part of an organized

report (column 63, lines 15-19 and 25-42 and column 65 line 61 to column 66, line 8).

10. Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bjornson in view of Tanaka and further in view of U.S. Patent Application Publication No. 2003/0120446 to Xie et al.

As noted above, the invention of Bjornson and Tanaka teaches many of the features of the claimed invention and while the invention of Bjornson and Tanaka does teach monitoring the operations of a facility utilizing inputted product quality control measurement data, the combination does not specify generating a statistical process control chart.

Xie teaches a net system and method for quality control comprising means for measuring data and generating measurement information and a management module for performing statistical chart analysis to generate a plurality of reports (0007, lines 1-25), wherein the statistic charts include a statistical process control chart (0028, lines 1-5).

It would have been obvious to one having ordinary skill in the art to modify the invention of Bjornson and Tanaka to specify generating a statistical process control chart, as taught by Xie, because, as suggested by Xie, the combination would have reduced the possibility of human error and improved the efficiency of quality control by providing automatic and detailed quality information in the common form of

statistical process control analysis charts (0002, lines 3-7, 0005, lines 1-6 and 0007, lines 22-25).

Response to Arguments

11. Applicant's arguments with respect to claims 1-33, 35-43, 46-52, 58, 60, and 61 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure:

U.S. Patent Application Publication No. 2002/0020344 to Takano teaches a semiconductor manufacturing method, substrate processing method, and semiconductor manufacturing apparatus wherein an inert gas is introduces into and exhausted from each of the process, transfer, and load-lock chambers using vacuum pumps.

U.S. Patent Application Publication No. 2005/0049834 to Bottomfield teaches a non-invasive system and method for diagnosing potential malfunctions of semiconductor equipment components including a plurality of hi-vac pumps susceptible to failure during semiconductor manufacturing.

U.S. Patent No. 6,909,993 to Nakao et al. teaches a method for diagnosing failure of a manufacturing apparatus and failure diagnosis system including means for predicting failure of a vacuum pump.

U.S. Patent No. 5,178,534 to Bayne et al. teaches a controlled diffusion environment capsule and system including a vacuum pump connected to a vacuum chamber.

U.S. Patent No. 5,442,562 to Hopkins et al. teaches a method of controlling a manufacturing process using multivariate analysis.

U.S. Patent Application Publication No. 2003/0028268 to Eryurek et al. teaches data sharing in a process plant.

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JEFFREY R. WEST whose telephone number is (571)272-2226. The examiner can normally be reached on Monday through Friday, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eliseo Ramos-Feliciano can be reached on (571)272-7925. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jeffrey R. West/
Primary Examiner, Art Unit 2857

October 19, 2008